

~~Upon your failure to appear, judgment will be taken against you by default.~~

State of New York, County of

ss.:

being duly sworn, deposes and says; that deponent is not a party to the action, is over 18 years of age and resides at
That on 19 at No.

deponent served the within summons

on

defendant

INDIVIDUAL by delivering a true copy of each to said de-
1. ☐ defendant personally; deponent knew the person so served to be the person described as said defendant therein.

a corporation,
by delivering thereof a true copy of each to

CORPORATION personally, deponent knew said corporation so
2. ☐ served to be the corporation described in said summons as said defendant and knew said individual to be

thereof

SUITABLE by delivering thereof a true copy of each to
AGE PERSON
3. ☐

a person of suitable age and discretion. Said premises is defendant's—actual place of business—dwelling house—usual place of abode—within the state.

by affixing a true copy of each to the door of said premises, which is defendant's—actual place of business—dwelling house—usual place of abode—within the state. Deponent was unable, with due diligence to find defendant or a person of suitable age and discretion, thereof, having called there
4. ☐

MAILING Deponent also enclosed a copy of same in a
USE WITH postpaid sealed wrapper properly addressed to
3 or 4 defendant at defendant's last known residence,
☐ at

and deposited said wrapper in—a post office—official depository under exclusive care and custody of the United States Postal Service within New York State.

Index No.

Supreme Court of the State of New York
County of

Plaintiff(s)

against

Defendant(s)

Summons with Notice
ACTION NOT BASED UPON
CONSUMER CREDIT TRANSACTION

Attorney(s) for Plaintiff(s)

Office, Post Office Address and Tel. No.

DESCRIPTION
USE WITH Deponent describes the individual served
1 or 3 ☐ as follows: sex: ☐ male ☐ female:

<input type="checkbox"/> White Skin	<input type="checkbox"/> Under 5'	<input type="checkbox"/> Under 100 lbs.
<input type="checkbox"/> Black Skin	<input type="checkbox"/> 5' 0" - 5' 3"	<input type="checkbox"/> 100 - 130 lbs.
<input type="checkbox"/> Yellow Skin	<input type="checkbox"/> 5' 4" - 5' 8"	<input type="checkbox"/> 131 - 160 lbs.
<input type="checkbox"/> Brown Skin	<input type="checkbox"/> 5' 9" - 6' 0"	<input type="checkbox"/> 161 - 200 lbs.
<input type="checkbox"/> Red Skin	<input type="checkbox"/> Over 6'	<input type="checkbox"/> Over 200 lbs.
<input type="checkbox"/> Black Hair	<input type="checkbox"/> Red Hair	<input type="checkbox"/> 11 - 20 Yrs.
<input type="checkbox"/> Brown Hair	<input type="checkbox"/> White Hair	<input type="checkbox"/> 21 - 35 Yrs.
<input type="checkbox"/> Blond Hair	<input type="checkbox"/> Balding	<input type="checkbox"/> 36 - 50 Yrs.
<input type="checkbox"/> Gray Hair		<input type="checkbox"/> 51-65 Yrs.
		<input type="checkbox"/> Over 65 Yrs.

Other identifying features:

Sworn to before me on

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF PUTNAM**

-----x Index No:

921/07

KENNETH ALTIZIO,

Plaintiff,

-against-

VERIFIED COMPLAINT

MARRIOTT INTERNATIONAL, INC.,

Defendant.

-----x
**Plaintiff, KENNETH ALTIZIO, as and for his Complaint, by his
attorney, Edward L. Ford, Esq., alleges as follows:**

- AVZ*
- 1. Plaintiff resides at 261 Hill Street, Mahopac, NY 10541, County of Putnam and the State of New York.**
 - 2. The Defendant, MARRIOTT INTERNATIONAL, INC., is organized and exists under and by the virtue of the Laws of the State of New York with its principal address as P.O. Box 29212, Hot Springs, AR 71903-0376.**
 - 3. At all times herein after mentioned, upon information sufficient to form a belief, the Defendant, MARRIOTT INTERNATIONAL, INC., is located at 2200 Southwood Dr., Nashua, NH 03063 more particularly described as follows: the Marriott Courtyard Hotel and parking lot.**
 - 4. That at all times hereinafter mentioned, upon information and belief, the Defendant, Marriott International, Inc., maintained the aforesaid premises located at 2200**
- D*
- D*

Southwood Dr., Nashua, NH 03063.

5. That at all times hereinafter mentioned, upon information and belief, the Defendant, Marriott International, Inc., controlled the aforesaid premises located at 2200 Southwood Dr., Nashua, NH 03063.

6. That at all times hereinafter mentioned, upon information and belief, the Defendant, Marriott International, Inc., operated the aforesaid premises located at 2200 Southwood Dr., Nashua, NH 03063.

7. That on or about the 16th day of January, 2007, the Plaintiff, KENNETH ALTIZIO, was lawfully upon the aforesaid premises.

8. That on or about the 16th day of January, 2007 the Plaintiff, KENNETH ALTIZIO, was caused to fall, thereby sustaining severe injuries to his body.

9. That the accident and resulting injuries were caused by the negligence, recklessness and careless of the Defendant herein.

10. That the Defendant was negligent, reckless and careless in allowing and/or permitting its premises, more specifically the parking lot area of its premises to be, become and remain in a dangerous and hazardous condition; in causing and/or permitting the parking lot area of said premises to be in a defective, dangerous and hazardous condition in that the said parking lot area was in a slippery condition; in that the said parking lot area was uneven; in that said parking lot was covered with snow and frozen ice; in failing to take those steps necessary to avoid the contingency which occurred herein; in allowing snow and ice to accumulate and become frozen and packed down; in failing to use that degree of caution prudence and care which was reasonable and proper under the controlling circumstances;

in failing to remove the ice from the parking area of said parking lot; and the Defendant its agents, servants and/or employees were in other ways, reckless and careless.

11. The Defendant, its agents, servants and/or employees had notice of the dangerous and defective condition or the condition had existed for a sufficient length of time prior to the happening of the accident herein alleged and in the exercise of reasonable care, the Defendant could or should have had knowledge and notice thereof.

12. That by reason of the foregoing, this Plaintiff was caused to sustain serious and severe personal injuries to his mind and body, some of which, upon information and belief, are permanent with permanent effects of pain, disability, disfigurement and loss of body function. Further, this Plaintiff was caused to expend and become obligated for diverse sums of money for the purpose of obtaining medical care and/or cure in an effort to alleviate the suffering and ills sustained as a result of this accident; the Plaintiff was caused to lose a substantial period of time from his normal activities and upon information and belief, may continue that way into the future and suffer similar losses.

13. That by reason of the foregoing, this Plaintiff was damaged.

WHEREFORE, Plaintiff demands Judgment against the Defendant and for such other and further relief as to this Court may seem just and proper.

DATED: White Plains, New York
April 14, 2007

Yours, etc.

EDWARD L. FORD, ESQ.
Attorney for Plaintiff

Office & P.O. Address
175 Main Street, Suite 416
White Plains, NY 10601
(914) 997-5162

TO: Marriott International, Inc.
P.O. Box 29212
Hot Springs, AR 71903-0376

VERIFICATION

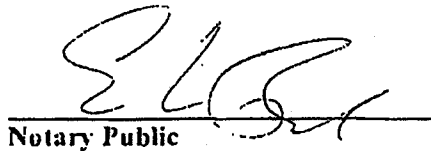
State of New York)
) ss.:
County of Westchester)

KENNETH ALTIZIO, being duly sworn, deposes and says:

I am the Plaintiff in the within action; I have read the foregoing Complaint
and know the contents thereof; the same is true to my own knowledge, except as to the matters
therein stated to be alleged upon information and belief, and as to those matters I believe
them to be true.


KENNETH ALTIZIO

Sworn to before me this
17th day of April, 2007


Notary Public

Notary Public
EDWARD L. FORD
New York

EDWARD L. FORD
Notary Public, State of New York
No. 02F4786092
Qualified in Rockland County
Commission Expires Dec. 31, 2009

2009

SUPREME COURT
STATE OF NEW YORK, COUNTY OF PUTNAM

Index No.

Year 2007

KENNETH ALTIZIO,

Plaintiff,

-against-

MARRIOTT INTERNATIONAL, INC.,

Defendant.

VERIFIED SUMMONS AND COMPLAINT

EDWARD L. FORD

ATTORNEY AT LAW

Attorney for Plaintiff

Post Office Address, Telephone

175 MAIN STREET, SUITE 416

WHITE PLAINS, N.Y. 10601

(914) 997-5162

To

Signature (Rule 130-1.1-a)

Print name beneath

Edward L. Ford

Service of a copy of the within is hereby admitted.

Dated:

Attorney(s) for

PLEASE TAKE NOTICE:

☐ NOTICE OF ENTRY

that the within is a (certified) true copy of a
duly entered in the office of the clerk of the within named court on

☐ NOTICE OF SETTLEMENT

that an order
will be presented for settlement to the HON.
within named Court, at
on

Dated,

of which the within is a true copy
one of the judges of the

Yours, etc.

EDWARD L. FORD

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SERVICO 35

200706250

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